

**REMARKS**

Claims 1 is pending within this application. Claim 1 has been amended to indicate the presence of (synthetically added) humic acid on at least a portion of the claimed sand formulation. Support for such an amendment is present throughout the originally filed specification, most notably within the Examples. No new matter has been added as a result. Entry and due consideration of such an amendment are therefore respectfully requested.

As a result of such an amendment, it is respectfully submitted that the previous rejection over the pending claims (anticipation by Lombardi) is now moot. There is no mention nor fair suggestion of the presence of humic acid within such a sand/polyurethane formulation as taught by Lombardi. Thus, Applicants respectfully request reconsideration and withdrawal of all of the previous rejections and objections.

**CONCLUSION**

In view of all of the previous amendments and remarks, it is respectfully requested that the pending claims are in condition for allowance and thus that this application be passed on to issue.

Respectfully requested,

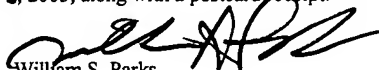
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on February 5, 2003, along with a postcard receipt.



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## MARKED-UP VERSION OF AMENDMENTS TO 10/008,201

IN THE CLAIM:

1.(Amended) A synthetic hydrophobic sand formulation exhibiting a penetration period of at least 9 seconds for a drop of 2 molar ethanol under a minimal ethanol drop test wherein at least a portion of said sand formulation is treated with humic acid.